

Please add the following new claims:

13
15. (New) The power mower of claim 9, wherein a first end of the control arm is pivotally attached to the cutter deck assembly and a second end of the control arm is pivotally attached to a tractor frame structure.

14
16. (New) The power mower of claim 15, wherein the tractor frame structure supports each of a foot platform and a seat for an operator.

17. (New) The power mower of claim 13; wherein a first end of each of the control arms is pivotally attached to the cutter deck assembly and a second end of each of the control arms is pivotally attached to a tractor frame structure.

REMARKS

This is in response to the Office Action dated January 2, 2002. New claims 15-17 have been added. Thus, claims 1-17 are now pending. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page(s) is captioned "Version With Markings To Show Changes Made."

Claims 1-14 stand rejected under 35 U.S.C. Section 103(a) as being allegedly unpatentable over Kamlukin (US 3,187,821) in view of Wright (US 5,600,944). This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 1 requires "[a] self-propelled power lawn mower comprising: first and second rear drive wheels that are independently driveable so as to enable the mower to conduct approximate zero radius turns about a zero radius turning axis; . . . a deck lift system for raising and lowering a cutter deck assembly, an engine deck, and an engine together as one unit in order to adjust a blade cutting height of the mower; control arms pivotally attached to at least one of the cutter deck and engine deck in order to provide lateral positioning of the cutter deck assembly and engine deck during the raising and lowering; and wherein said control arms are short enough in length so that pivoting of the control arms an angle Φ of fifteen (15) degrees either upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no more than about 2.5 inches." For example and without limitation, see control arms 130 in Figs. 21, 22, 26 and 27, and on pages 30-33 of the instant application.

Kamlukin fails to disclose or suggest any of the aforesaid underlined aspects of claim 1. For example, Kamlukin fails to disclose or suggest each of the following requirements of claim 1: (a) first and second rear drive wheels independently drivable so as to enable zero radius turns of the mower about a zero radius turning axis; (b) a deck lift system for raising and lower a cutter deck assembly, engine deck, and engine together as one unit in order to adjust a blade cutting height; (c) control arms pivotally attached to at least one of the cutter deck and engine deck; and (d) the control arms being short enough in length so that pivoting of the control arms an angle Φ of fifteen (15) degrees either

upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no more than about 2.5 inches.

Regarding item (a) above, Kamlukin has an axle 8 which requires that both wheels 9 move together (col. 3, lines 34-36; col. 4, lines 50-56). It is thus impossible for the wheels 9 of Kamlukin to be independently drivable so as to enable zero radius turns of the mower about a vertical zero radius turning axis.

Regarding item (b) above, Kamlukin clearly fails to disclose or suggest a deck lift system for raising and lower a cutter deck assembly, engine deck, and engine together as one unit in order to adjust a blade cutting height. Kamlukin teaches that cutter deck assembly 12 is raised/lowered by handscrew 93 (col. 7, lines 21-28). There is no teaching or suggestion in Kamlukin that the cutter deck assembly is lifted/lowered along with an engine deck and engine as one unit to adjust cutting height as required by claim 1.

Regarding item (c) above, Kamlukin fails to disclose or suggest the required control arms pivotally attached to at least one of the cutter deck and engine deck. The Office Action contends that lever 126 in Kamlukin meets this aspect of claim 1. This contention is incorrect at least because only a single lever 126 is provided in Kamlukin, whereas claim 1 requires multiple control arms.

Regarding item (d) above, Kamlukin fails to disclose or suggest at least two control arms being short enough in length so that pivoting of the control arms an angle Φ of fifteen (15) degrees either upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no

more than about 2.5 inches. In contrast, in Kamlukin it appears that manipulation of lever 126 does not even cause the cutting height to change (instead, the reference teaches that handscrew 93 is used to adjust cutting height). Thus, it appears that lever 126 does not even move during raising/lowering of the cutter deck assembly. Moreover, there is clearly no disclosure of suggestion in Kamlukin that lever 126 is short enough in length so that pivoting of the same an angle Φ of fifteen (15) degrees either upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no more than about 2.5 inches. In view of the above, it can be seen that Kamlukin is unrelated to the invention of claim 1.

Wright '944 cannot cure the fundamental flaws associated with Kamlukin. For example, like Kamlukin, Wright '944 also fails to disclose or suggest the aforesaid items (b), (c), and (d) of claim 1. Thus, even if the references were combined as alleged in the Office Action (which applicant believes would be incorrect in any event), the invention of claim 1 still would not be met.

Claim 9 requires "a deck lift system for raising and lowering the cutter deck assembly, the engine deck, and the engine together as a unit in order to adjust a blade cutting height of the mower; and wherein a control arm, for helping provide lateral positioning of the cutter deck assembly during the raising and lowering, is short enough in length so that pivoting of the control arm an angle Φ of fifteen (15) degrees during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" of no more than about 2.5 inches." The cited art fails to disclose or suggest these aspects of claim 9.

Kamlukin clearly fails to disclose or suggest a deck lift system for raising and lower a cutter deck assembly, engine deck, and engine together as one unit in order to adjust a blade cutting height. Kamlukin teaches that cutter deck assembly 12 is raised/lowered by handscrew 93 (col. 7, lines 21-28). There is no teaching or suggestion in Kamlukin that the cutter deck assembly is lifted/lowered along with an engine deck and engine as one unit to adjust cutting height as required by claim 9. Kamlukin also fails to disclose or suggest a control arm short enough in length so that pivoting of the control arm an angle Φ of fifteen (15) degrees either upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no more than about 2.5 inches. In contrast, in Kamlukin it appears that manipulation of lever 126 does not even cause the cutting height to change (instead, the reference teaches that handscrew 93 is used to adjust cutting height). Thus, it appears that lever 126 does not even move during raising/lowering of the cutter deck assembly. Moreover, there is clearly no disclosure of suggestion in Kamlukin that lever 126 is short enough in length so that pivoting of the same an angle Φ of fifteen (15) degrees either upward or downward during raising or lowering of the cutter deck assembly causes the cutter deck assembly to move a vertical distance "d" no more than about 2.5 inches. In view of the above, it can be seen that Kamlukin is unrelated to the invention of claim 9. Wright '944 also fails to disclose or suggest these features, and thus cannot overcome the fundamental flaws of the base reference. Even if the references were combined as alleged in the Office Action (which applicant believes would be incorrect in any event), the invention of claim 9 still would not be met.

Claim 13 requires "a deck lift system for raising and lowering the cutter deck assembly and engine together in order to adjust a blade cutting height of the mower; and first and second pivoting control arms for helping provide lateral positioning of the cutter deck assembly and engine during the raising and lowering, wherein the first and second control arms are pivotally connected to the cutter deck assembly or an engine deck assembly so as to pivot upward and downward along with corresponding upward and downward movement of the cutter deck assembly and engine." As can be seen from the above, the cited art fails to disclose or suggest this either taken alone or the alleged combination.

Claims 5 and 17 require that a first end of each of the control arms is pivotally attached to the cutter deck assembly and a second end of each of the control arms is pivotally attached to a tractor frame structure. The cited art clearly fails to disclose or suggest this.

Claim 15 requires that a first end of the control arm is pivotally attached to the cutter deck assembly and a second end of the control arm is pivotally attached to a tractor frame structure. Again, the cited art clearly fails to disclose or suggest this.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn and the application passed to issue. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

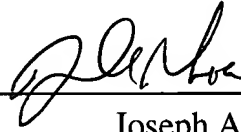
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Respectfully submitted,

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